



Sen. Linda Holmes

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LRB096 20708 RLJ 37326 a

1 AMENDMENT TO SENATE BILL 3683

2 AMENDMENT NO. _____. Amend Senate Bill 3683 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The River Edge Redevelopment Zone Act is
5 amended by adding Section 10-10.1 as follows:

6 (65 ILCS 115/10-10.1 new)

7 Sec. 10-10.1. Utility facilities.

8 (a) It remains the policy of the State that the cost of
9 supplying public utility services is allocated to those who
10 cause the costs to be incurred. This policy requires an entity
11 engaging in economic redevelopment to pay all costs to relocate
12 utility facilities on property that the utility owns in areas
13 that have been designated for economic redevelopment. It is,
14 however, in the public interest that costs for the River Edge
15 Redevelopment Zone impacting utility property that are covered
16 by subsection (b) not be allocated solely to the entity

1 engaging in economic redevelopment, as this economic
2 redevelopment benefits the utility service territory as a whole
3 and not just the particular area where the redevelopment
4 occurs.

5 (b) This Section applies to the costs of installing,
6 removing, replacing, relocating, modifying, or maintaining
7 utility facilities in the River Edge Redevelopment Zone if the
8 public utility has met one or more of the following
9 requirements before the effective date of this amendatory Act
10 of the 96th General Assembly:

11 (1) The public utility's facilities were located
12 within an area designated for economic redevelopment by a
13 unit of local government;

14 (2) The public utility's facilities were located
15 within an area subject to tax increment financing;

16 (3) The public utility's facilities were located
17 within an area that qualifies as a transit-oriented
18 development;

19 (4) The public utility's facilities were located
20 within an area that can be redeveloped in a manner that
21 combats urban sprawl; or

22 (5) The costs connected with the public utility's
23 facilities exceeded the funds available to the project
24 through tax increment financing that could have otherwise
25 been used for these purposes.

26 (c) The Illinois Commerce Commission shall allow a utility

1 providing services under this Section to fully recover from all
2 customers in its service territory all costs it incurs in
3 conducting environmental remediation in the River Edge
4 Redevelopment Zone and for the installation, removal,
5 replacement, relocation, modification, or maintenance of
6 utility facilities in the River Edge Redevelopment Zone. The
7 public utility may defer operation and maintenance
8 expenditures connected with the River Edge Redevelopment Zone
9 and amortize them in a rate proceeding following the
10 expenditure.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."